

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Ottilia Hertel KG, et al.

CASE NO. C 06-1226-JL

Plaintiff(s),

v.

Odermatt, et al.

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Defendant(s).

\_\_\_\_\_ /  
Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

- Non-binding Arbitration (ADR L.R. 4)
- ✓ Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

- ✓ Private ADR (*please identify process and provider*) The parties agree in principle  
to pursue simultaneously Early Neutral Evaluation (ENE) and private mediation in an attempt to facilitate settlement. The parties are currently discussing and will soon agree on the names of potential private mediators. +

The parties agree to hold the ADR session by:

- ✓ the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

other requested deadline \_\_\_\_\_

Dated: May 31, 2006

/s/ Thomas R. Beer

Attorney for Plaintiff

Dated: May 31, 2006

/s/ David A. Sauers

Attorney for Defendant

~~PROPOSED~~ ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration  
Early Neutral Evaluation (ENE)  
Mediation  
Private ADR

Deadline for ADR session

90 days from the date of this order.

other

IT IS SO ORDERED.

Dated: June 9, 2006

